

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

Civil Supplies – Selection and appointment of Fair Price Shop Dealers under the Andhra Pradesh State Public Distribution System (Control) Order, 2008 – Guidelines – Issued.

CONSUMER AFFAIRS, FOOD AND CIVIL SUPPLIES (CS.I) DEPARTMENT

G.O.Ms.No. 52

Dated: 18 -12 -2008
Read the following;

1. G.O.Ms.No.21, C.A, F & C.S (CS.I) Department dated 19-05-2002.

ORDER :

In the reference read above, notification has been issued making the A.P. State Public Distribution System (Control) Order, 2008 in repealed and saved the A.P. Public Distribution (Control) Order, 2001

2. The Commissioner, Civil Supplies has sent draft guidelines for the purpose of selection and appointment of Fair Price Shop Dealers and to issue authorization to such Fair Price Shops under clause 5 of the aforesaid 2008 year.

3. After careful examination of the matter the Government hereby issue the guidelines as in the Annexure to this order regarding appointment, penalties, issue of authorization to Hawkers /NRs and Fair Price Shop dealers under the A.P. State Public Distribution System (Control) Order, 2008.

4. These guidelines annexed here under shall come into force with immediate effect.

5. The Commissioner, Civil Supplies shall take necessary action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**SANJAY JAJU
EX-OFFICIO SECRETARY TO GOVERNMENT**

To
The Commissioner, Civil Supplies, A.P. Hyderabad.
The Director of Civil Supplies, Hyderabad.
All Collectors / C.R.O., Hyderabad.
All Joint Collectors.
The D.S.O. Hyderabad and Visakhapatnam
Copy to P.S. to M(CS)
Copy to Law (B) Department
SF / SC.

// FORWARDED BY ORDER //

SECTION OFFICER

ANNEXURE G.O.Ms.NO. 52,CAF&CS(CS.I)DEPT., DT:18-12-2008

GUIDELINES FOR SELECTION AND APPOINTMENT ETC. OF FAIR PRICE SHOP DEALERS UNDER ANDHRA PRADESH STATE PUBLIC DISTRIBUTION SYSTEM (CONTROL) ORDER, 2008.

1. NOTIFICATION OF VACANCIES OF FAIR PRICE SHOPS :-

1. All vacancies of Fair Price Shops shall be notified on 1st of every month by the Appointing Authority and invite the applicants for walk in interviews along with original certificates on a specified date atleast after ten clear days time of the notification. The results shall be announced on the next day of the interview. There shall be no postponement of date by the appointing authorities.

The notification shall be affixed on the notice Boards of Revenue Divisional Officer's, Collector's Office of the Mandal Revenue Officer concerned and on the notice board of the Gram Panchayat concerned and also at a conspicuous place in the village in which the Fair Price Shop is to be located or notified. The appointing authority shall send a copy of each of the notification to the following namely:

- (i) To Sarpanch of the Panchayat in which the fair price shop is to be located / notified;
- (ii) To all the members of Food Advisory Committee attached to the Mandal where the FPS is located.
- (iii) To the members of the Food Advisory Committee attached to the fair price shop; and
- (iv) To the Member of Legislative Assembly and Member of Parliament in whose constituency the fair price shop vacancy is notified and filled up.

The appointing Authority shall also publicize the notification inviting applications by beat of drum in the village concerned or through public announcement system, if there is one, in the village or town.

1.2 In the twin cities of Hyderabad and Secunderabad, the notification shall be published at the Chief Rationing Officer's office, Assistant Supply Officer having jurisdiction and Commissioner of Civil Supplies, copies of the notification shall be sent to the members of the Corporations Level and circle Level, food Advisory Committees and also the Member of Parliament and Member of Legislative Assembly in whose constituencies the vacancies fall with the city limits.

1.3 In the notification inviting applications for selection of candidates for fair price shops, it shall be specifically mentioned whether the fair price shop for which applications have been invited is reserved for Scheduled Castes / Scheduled Tribes / Backward Classes / Physically Handicapped / Woman, so that the persons eligible alone shall apply. Others who does not come under the quota are not eligible to attend the interviews.

1.4 The Appointing authority i.e. Revenue Divisional Officer/ Sub-Collector/ District supply Officer (City) should notify all the Fair Price shop vacancies as per roster and there should be proportionate allocation of category of vacancy of the unit and % of reservations should be filled up scrupulously. The appointing authority should not notify the vacancies of one category of reservation and should notify the vacancy of all categories in the vacancy list.

2. INTERVIEW LETTERS AND SELECTION :-

After receipt of applications, the Appointing Authority shall cause service of letters calling upon all the eligible applicants for an interview duly indicating the date and time and venue of interviews. Selection shall be made on the basis of interviews conducted by the appointing Authority purely on merit to be determined on the basis of the minimum general educational qualifications of the candidates. No waiting list of eligible candidates shall be maintained for filling up in future.

The appointing authority should not show any favour and should yield for political, official and any outside persons and should act impartially in selection of the candidates. The candidate bring recommendations should be disqualified for the interview / selections.

3. VERIFICATION OF ANTECEDENTS :-

The appointing authority shall verify the antecedents of the selected candidates through the records of their own offices. The appointing Authority shall also get clearance report from the Mandal Revenue Officers concerned regarding any punishment or involvement of the selected candidates in any case under various laws or under any of the orders issued under the Essential Commodities Act, 1955 or in relation to any essential commodities, or his / her relationship with any business or ex-dealers or Government employees, etc.

4. ELIGIBILITY

Keeping in view, the growing unemployment, only unemployed persons or from Registered Rural area groups of Women's voluntary consumer Organisations (which have only women as members) or Women's thrift groups like 'Podupu Lakshmi' Co-operative societies run exclusively by women shall be eligible for appointment as fair price shop dealers.

The applicant should be financial sound to lift the allotted essential commodities by the authority and should not leave essential commodities unlifted due to financial constrains.

5. MINIMUM GENERAL EDUCATIONAL QUALIFICATIONS :-

5.1 A pass in 10th class shall be the minimum general educational qualification required for appointment as fair price shop dealers;

- (a) Persons possessing the minimum general educational qualifications and the persons having higher qualifications, if applied, shall be treated equally for the purpose of appointment; and
- (b) Where no candidate is available with the said minimum general educational qualifications, a candidate possessing a lesser educational qualifications, which shall not be less than a pass in 7th class, if applies, may be considered for appointment.

6. AGE LIMIT:-

The minimum age for applying for grant of a F.P. Shop shall complete 18 years of age maximum age limit of 40 years.

7. RESERVATIONS :-

7.1 The following reservation shall be observed while making appointments :

Scheduled Castes	:	15%
Scheduled Tribes	:	6%
Physically Handicapped	:	3%
Backward Classes	:	25%

7.2 (i) Reservation to women in allotment of F.P. shops shall be fixed at 30%. Out of the said 30% reservation to women, 1% shall be reserved to the windows of Ex-Servicemen; and

(ii) The F.P. Shop dealers selected from women quota shall be adjusted both in the reserved category and also in open category;

7.3 The appointing authority shall maintain the percentage of reservation prescribed by the Government at divisional / circle level on overall basis of the strength of the reservations provided shall be followed treating the entire Revenue Division / circle as a unit.

8. RESIDENCE :-

The candidate shall be a resident of the Gram Panchayat or the Municipal limits of the town, as the case may be, in which the shops is to be located.

8(a) Persons applying for F.P. Shops reserved for Physically Handicapped, shall be residents of the Mandal Concerned. However on appointment they shall shift the place of residence to the place, where the F.P. Shop is to be situated in that Mandal. Preference shall be given to the persons who are in the residents of the concerned gram Panchayat limits or the concerned Municipal Limits of the town.

9. PREFERENCE AND PRIORITIES :-

- (i) Preference shall be given to the resident of the revenue village or hamlet in which the shop is to be located or the ward in a Municipality where the shop is to be located;
- (ii) Preference shall be given to the candidates belonging to families of freedom fighters, if they apply; and
- (iii) Preference shall be given to DWCRA groups, Thrift groups functioning under various names like 'Podupu Lakshmi'
- (iv) "Preference shall be given to the hawkers/NRs having license under the APPP (L&Rs) Rules 1980, for selection and appointment as F.P. Shop dealer, while filling up the existing or new F.P. Shop vacancy. All Requisite qualifications and guidelines issued by Government from time to time shall be applicable to those hawkers/NRs while converting to F.P. Shop dealer subject to full filling the conditions if appointment of F.P. Shop dealers by the N.R. / Hawkers who are otherwise eligible for appointment.

10. GUIDELINES TO BE OBSERVED IN TRIBAL AREAS :-

- 1. Fair Price Shops shall be run through the Daily Requirement Depots of the Girijan Co-operative Corporation wherever they exist.
- 2. Where there is no daily requirement Depots, the F.P. Shops shall be entrusted to apart time depots of the Girijan Co-operative manned by Tribal Candidates.
- 3. Where neither Daily Requirement Depots nor part time depots are available, the project officer, Integrated Tribal Development Agency

concerned shall identify suitable tribal beneficiaries and the F.P. Shops shall be entrusted to such tribal candidates only.

4. The Tribal beneficiaries thus selected by the Project Officer, Integrated Tribal Development Agency shall be provided Institutional Finance from A.P. Scheduled Tribes Finance Corporation / Integrated Tribal Development Agency / Girijan Co-operative Corporation or through Commercial Banks, in which case the Project Officer, Integrated Tribal Development Agency shall arrange the necessary margin money.
5. The selection of beneficiaries to run the F.P. Shops shall be done by the Project Officer, Integrated Tribal Development Agency concerned and the candidates thus selected will be appointed as F.P. Shop dealers by the appointing authority.
6. Immediate action shall be taken to replace all the F.P. Shops which are now being run by Non-tribal areas.
7. In respect of those villages where no tribals are residing in tribal areas, the Girijan Co-operative Corporation alone shall run the F.P. Shops through their daily requirement Depots.
8. In respect of those Villages where tribals do not come forward to take up F.P. Shops dealership due to lack of finances, the Project Officer, Integrated Tribal Development Agency concerned shall identify suitable tribal beneficiary and provide necessary financial assistance towards working capital as well as security deposit. The Integrated Tribal Development Agency Officials and Mandal Revenue Officer concerned shall be responsible to recover the loan amounts from such tribal beneficiaries identified by the Project Officer, integrated Tribal Development Agency.

11. BANK FINANCE AND RECOVERY :-

- (i) The amount fallen due to banks for the amount advanced to a F.P. Shop dealer/NR of existing / legal heirs of deceased / defaulter F.P. Shop / NR shall be treated as arrears of Land Revenue and to be collected by the Tahsildar / Revenue Divisional Officer concerned, who are empowered under the Revenue Recovery Act;
- (ii) The deposit made by the Fair Price Shop / NR dealer with Civil Supplies Department, should not be refunded, without concurrence of the financing institution and the F.P. Shop dealer must be insisted upon to get the monthly demand Drafts from the bank, which has provided loan to him.

12. GENERAL :-

- (i) All individuals holding any Public Office like Sarpanch of Gram Panchayat, President of Mandal Praja Parishad, Chairman of Zilla Praja Parishad Presidents of Co-operative Societies, Councilors or Chairman of Municipality / Members of Zilla Parishad Territorial Constituency (ZPTC) etc., "irrespective of the reservation shall not be eligible;
- (ii) Every F.P. Shop dealer should give an undertaking to the appointing authority concerned that he / she will relinquish the fair price shop dealership if he / she is elected to any public office;
- (iii) Close relatives of Government employees specially those working in Civil Supplies Department or Revenue Department or the Civil Supplies Corporation or Village Administrative Officer of the village shall not be appointed as F.P. Shop Dealers;

- (iv) Candidates should be asked to give the Mulgi / Shop number or the door number of the place of business at the time of submission of application or before the authorization is issued;
- (v) Under no circumstances, orders issuing authorizations or orders suspending or canceling the authorization, forfeiture of security deposit of a F.P. Shop dealer shall be issued by any officer other than the appointing authority.
- (vi) Even temporary arrangements for attaching the cards to nearby F.P. Shop shall be ordered by the appointing authority concerned only and not by Tahsildar/ Asst Supply Officer.
- (vii) While taking disciplinary action against F.P. Shop dealers, the appointing authority shall issue speaking orders specifically giving reasons and quoting the relevant rules and provisions under law.
- (viii) When the authorization of a Fair Price Shop dealer / NR is suspended / cancelled or where a F.P. Shop falls vacant, to ensure uninterrupted supply of essential commodities, the cards of such dealer may be attached to the neighboring F. P. Shop / NR of the same village. However, when it is not feasible to attach cards to the neighboring F.P. Shop/ NR for want of a shop in the same village or for any other reasons, the F.P. Shop may be entrusted to persons purely on temporary basis for a limited period, clearly indicating that no right would accrue to such temporary dealer at the time of filling up of the vacancy on a regular basis;
- (ix) Every candidate appointed as F.P. Shop dealer shall be required to work for a minimum period of 5(five) years unless the authorization of the F.P. Shop is suspended or cancelled by Competent authority. Resignations etc. seeking to relinquish the dealership shall not be accepted within the minimum period of 5(five) years. Failure to adhere to this condition, shall result in forfeiture of the trade deposit remitted by the dealers.
- (x) The candidate should be financially sound to lift the PDS stocks required for all the cards that are likely to be registered with the fair price shop. The required finances may be mobilized through institutional finance or the candidate's own finance; and it should be proved to the satisfaction of the appointing authority.
- (xi) The candidate should have no adverse antecedents, such as criminal cases or any punishments under the Essential commodities Act, 1955 or tendency of cases under Essential commodities Act, 1955 or cancellation of licenses or punishments or pending charges under Weights and Measures laws, Marketing laws, Labour laws et., or bad conduct on record as a dealer or as an individual;
- (xii) The candidate should possess good health and shall not suffer from any contagious or infectious disease or from any other disability making the candidate unfit to run the F.P. Shop himself / herself;
- (xiii) The applicant should personally run the F.P. Shop and not run in benami or through an agent. However, women F.P. Shop dealers may take the assistance of their family member(s) whose name or names are included in the dealer's supply card. If a woman dealer gets married and in the event her leaving the village she must relinquish the F.P. Shop dealership;

- (xiv) F.P. Shop dealership is not transferable. An undertaking shall be given to the effect that the candidate will lose the right to the F.P, Shop dealership and deposit if he or she tries to transfer it in any form;
- (xv) The candidate shall not have any connections with any other business dealing with Rice / Sugar / Wheat etc., directly or indirectly;
- (xvi) In respect of individual candidates in each category the appointing authority shall take action to ensure institutional finance support from the Scheduled Castes or Backward Classes financial Corporations or Women's Welfare Corporations or Physically Handicapped Corporation or Andhra Pradesh Scheduled Tribes Finance Corporation or through other Special Employment Schemes;
- (xvii) The appointing authority shall verify and ensure that candidates who have already been benefited under other Government Schemes such as Gramodaya Pathakam, Khadi and Village industries Board etc., are not allotted F.P. Shops dealer ships;
- (xviii) Every F.P. Shop dealer shall, before lifting the first quota, on appointment as F.P.Shop dealer shall give an undertaking to the appointing authority agreeing to :-
 - a. Sell rice, wheat, sugar and P.Oil on proper weighment and kerosene on proper measurement;
 - b. Use weights and measures which are properly stamped by the Legal Metrology Department and get them renewed from time to time as required under the Weights and Measures laws;
 - c. Sell essential commodities allotted to the fair price shop dealer at the rates prescribed by Government only;
 - d. Maintain proper accounts for each month and handed over the sales books of accounts including bill books after the close of each month to the Tahsildar / Assistant Supply Officer concerned by 3rd of every months, so that they will be available for verification at a later date; and
 - e. Use only those registers in which all the pages are stamped and the total number of pages are certified by the concerned Tahsildar / Assistant Supply Office.

SANJAY JAJU,
EX. OFFICIO SECRETARY TO GOVT.

//FORWARDED BY ORDER//

SECTION OFFICER